

Public Law 94-195
94th Congress

An Act

Dec. 31, 1975

[H.R. 11172]

To insure that the compensation and other emoluments for any person filling the vacancy on the Federal Maritime Commission caused by the resignation of Commissioner George Henry Hearn shall be those which were in effect on January 1, 1975, and for other purposes.

Federal Maritime
Commission.
Compensation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the compensation and emoluments of the office of Commissioner of the Federal Maritime Commission which was vacated by the resignation of Commissioner George Henry Hearn shall be those which were in effect on January 1, 1975, notwithstanding any salary increase resulting from the Executive Salary Cost-of-Living Adjustment Act, approved August 9, 1975 (Public Law 94-82; 89 Stat. 419), or any other provision of law, or provision which has the force and effect of law, enacted or becoming effective during the period beginning at noon, January 3, 1975, and ending at noon, January 3, 1977.

5 USC 5312 note.

Effective date.

(b) The provisions of subsection (a) shall take effect beginning on the date of the enactment of this Act, and shall cease to be effective at noon, January 3, 1977, or on the date the person next appointed to fill the vacancy in the office referred to in subsection (a) ceases to hold office, whichever first occurs.

Judicial review.

Sec. 2. (a) Any person who has standing to seek judicial review of any action taken by the Federal Maritime Commission after the filling of the vacancy referred to in the first section of this Act, or who is a party to a proceeding pending before the Commission may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the person filling such vacancy on the ground that such appointment and continuance in office are in violation of article I, section 6, clause 2, of the Constitution. Such court shall have exclusive jurisdiction, without regard to the sum or value of the matter in controversy, to determine the validity of such appointment and continuance in office.

USC prec. title 1.
Jurisdiction.

Appeal.

(b) Any action brought under this section shall be heard and determined by a panel of three judges in accordance with the provisions of section 2284 of title 28, United States Code. Any appeal from the action of a court convened pursuant to such section shall lie to the Supreme Court.

(c) Any judge designated to hear any action brought under this section shall cause such action to be in every way expedited.

Approved December 31, 1975.

LEGISLATIVE HISTORY:

CONGRESSIONAL RECORD, Vol. 121 (1975):

Dec. 16, considered and passed House.

Dec. 17, considered and passed Senate.